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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,561	11/29/2001	Pilsoo Kim	Q124	5142
23386	7590	06/16/2005	EXAMINER	
MYERS DAWES ANDRAS & SHERMAN, LLP 19900 MACARTHUR BLVD., SUITE 1150 IRVINE, CA 92612			REKSTAD, ERICK J	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/997,561	Applicant(s) KIM, PILSOO	
	Examiner Erick Rekstad	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a Second Non-Final Action for application no. 09/997,561 in response to the amendment filed on January 10, 2005 in which claims 1-20 are presented for examination.

Response to Arguments

Applicant's arguments with respect to claim 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,491,511 to Odle.

[claim 1]

As shown in Figure 1, Odle teaches a point of sale surveillance system for comparing a cash register readout with a visual record of items purchased comprising:

A cash register (14) which produces an electronic report of a sales transaction;

A camera (12) which makes a visual image of goods which are subject to said sales transaction;

A processor (28) coupled to said camera and cash register, which processor creates a record in which said visual image of goods and electronic report are

correlated with each other (Col 4 Lines 1-5 and Lines 10-11, Col 5 Line 36-62 and Col 6 Lines 21-45). As shown in the citation, Odle teaches the use of a node (16) to obtain the transaction data and convert it into a user readable format. The formatted transaction data is sent to the system controller (18) where it is then provided to the video card (27) (Col 4 Lines 45-54). The video card then merges the transaction data with the video data (Col 6 Lines 23-30).

A display device (23) in which correlated visual images of goods and electronic reports are displayed (Col 6 Line 59-Col 7 Line 4). As shown above the video signal displayed is the mixed signal of Fig. 3C which contains both the transaction data in user readable format and the video of the transaction.

Though Odle does not specifically teach the use of an inventory recording system, Odle does teach the system is easily accessed for use in an inventory control system. It would have been obvious to one of ordinary skill in the art at the time of the invention to use an inventory recording system with the system of Odle as Odle has designed the system to be easily accessed for use by such a system.

[claims 2, 3, 10]

Odle teaches the use of a VCR (22) but suggests those skilled in the art will understand that the video storage system may be a CD-ROM which stores the video digitally as required by claims 2 and 10 (Col 4 Lines 1-10, Col 6 Lines 36-64). Odle further teaches storing the data for multiple sales transactions as required by claim 3 (Col 6 Lines 21-22 and 46). It would have been obvious to one of ordinary skill in the art

to replace the VCR of Odle with a CD-ROM as an obvious variation of the system of Odle.

[claims 7 and 8]

As shown in Figure 1, multiple cameras (12) and cash registers (14) can be used.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Odle as applied to claim 1 above, and further in view of US Patent 6,175,382 to Mohr.

[claim 4]

Odle teaches the system of claim 1. Odle further teaches the received data from the register is reformatted to a human readable form and then further converted to a common standard format (Col 5 Line 51- Col 6 Line 4, Figs. 3A-3B). Odle then combines the data with the obtained video for recording on a vcr (Col 6 Lines 21-45, Fig. 3C). Odle teaches transfer of the data over a modem and displaying the data on a vga monitor (34, Fig. 1) (Col 4 Line 55-Col 5 Line 10, Col 6 Lines 46-58). Odle does not teach the conversion from a vga format to a television compatible format. Mohr teaches the use of a VGA to NTSC converter in order to provide the video, provided by a modem, in a format that a video display can handle (Col 3 Lines 2-6, Line 60-Col 4 Line 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Odle with the video converter of Mohr in order to convert video transmitted over a modem into a format viewable on a video display.

Claims 5, 6, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odle as applied to claim 1 above, and further in view of US Patent 5,216,502 to Katz.

[claims 5, 6 and 9]

Odle teaches the system of claim 1. Odle further teaches the recording of multiple composite video signals at the same time using a multiplexer (38, Fig. 1) (Col 5 Lines 29-35). Odle does not specifically teach displaying multiple pictures at the same time. As shown in Figure 3, Katz teaches a Picture in Picture display (64) for displaying the visual image of goods and electronic reports as required by claims 5 and 6 (Col 11 Line 45- Col 12 Line 32). The system of Katz uses a multiplexer (96) to combine the input of four cameras for use with a single display. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the POS system of Odle with the system of Katz in order to display more than one stream at a time.

Odle teaches the combining of the video signal with the transaction data (Col 6 Lines 21-35). It would have been obvious to one of ordinary skill in the art at the time of the invention that the combination of Odle and Katz would provide the video and transaction data for multiple POS as required by claim 9.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Odle as applied to claim 1 above, and further in view of US Patent 5,727,162 to Nakamura.

[claim 11]

As shown above Odle teaches the system of claim 1. Odle further teaches the use of the system with an inventory control system (Col 6 Lines 18-20). Odle does not

specifically teach an automatic inventory record system for keeping track of merchandise remaining in stock. Nakamura teaches an inventory recording system for use with a point of sales terminal in order to keep track of merchandise remaining in stock for use with determining what merchandise keys to display on the point of sales terminal (Abstract, Col 2 Line 40- Col 3 Line 49, Fig. 21). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Odle with the inventory recording system of Nakamura in order to provide an accurate display of available goods on the POS as taught by Nakamura.

Claims 12, 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odle as applied to claims 1 and 2 above, and further in view of Katz and Mohr.

[claims 12, 14, and 20]

Odle teaches the system of claims 1 and 2 as shown above. As shown in Figure 1, this system includes a cash register (14), a camera (12), and a computer (28). Odle further teaches the use of cables to connect the devices (Col 4 Lines 49-50). As shown above for claim 2, Odle further teaches the system records the transaction video and data (Col 4 Lines 1-10, Col 6 Lines 36-64). Odle further teaches the combining of the video signal with the transaction data (Col 6 Lines 21-35). Odle teaches the conversion of the received data from the register into a human readable form (Col 5 Lines 51-Col 6 Lines 4, Fig. 3A-3B). Odle then teaches the transfer of the data over a modem and displaying the data on a vga monitor (34, Fig. 1) (Col 4 Line 55-Col 5 Line 10, Col 6 Lines 46-58). Further, as shown in Figure 1, Odle teaches the use of multiple POS as required by claim 14 (Col 2 Lines 62-67, Col 4 Lines 10-11). Odle also teaches at least

one input port (27 and 16) for the output of the output cable of the at least one camera and the at least one conversion device as required by claim 20. Odle does not teach a VGA-to-TV conversion device. Odle further does not teach the ability to produce picture in picture.

As shown above for claims 5, 6 and 9, Katz teaches the use of a PIP process (Col 11 Line 45-Col 12 Line 32, Fig. 3). As stated above for the rejection of claims 5, 6 and 9, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the POS system of Odle with the system of Katz in order to display more than one stream at a time. Katz does not teach the use of a VGA-to-TV conversion device.

As shown for the rejection of claim 4, Mohr teaches the uses of a VGA-to-TV converter in order to provide the video provided by a modem, in a format that a video display can handle (Col 3 Lines 2-6, Lines 60-Col 4 Line 1). As further stated in the rejection of claim 4, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Odle with the video converter of Mohr in order to convert video transmitted over a modem into a format viewable on a video display.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the system and cables as a kit in order to use the POS (OFFICAL NOTICE).

Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odle, Katz and Mohr as applied to claim 12 above, and further in view of US Patent 5,727,162 to Nakamura.

[claims 13 and 15]

As shown above Odle, Katz, and Mohr teach the system of claim 12. Odle further teaches the use of the system with an inventory control system (Col 6 Lines 18-20). Odle does not specifically teach an automatic inventory record system for keeping track of merchandise remaining in stock. Nakamura teaches an inventory recording system for use with a point of sales terminal in order to keep track of merchandise remaining in stock for use with determining what merchandise keys to display on the point of sales terminal (Abstract, Col 2 Line 40- Col 3 Line 49, Fig. 21). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Odle with the inventory recording system of Nakamura in order to provide an accurate display of available goods on the POS as taught by Nakamura.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Odle in view of US Patent 5,216,502 to Katz.

[claim 16]

Odle teaches a method providing point to sale surveillance comprising:

(a) receiving and storing data from a cash register transaction readout during a purchase transaction;

(b) making, receiving, and storing a visual record by means of a camera positioned to capture a visual image of goods corresponding with the cash register transaction readout;

(c) processing and transferring the cash register transaction readout and visual image of goods corresponding with the cash register transaction readout to a remote location (Col 4 Lines 1-5 and Lines 10-11, Col 5 Lines 36-62, Col 6 Lines 21-45). Odle teaches the system can access the mixed-video data on-site (Col 7 Lines 5-10). Note the access unit (20) is remote from the processing devices.

Odle further teaches displaying the mixed-video on a display (Col 6 Lines 59-67). Odle does not specifically teach the display wherein the visual image of goods corresponding with the cash register transaction on a screen as adjacent images.

As shown in Figure 3, Katz teaches a Picture in Picture display (64) for displaying the visual image of goods and electronic reports as required by the claim (Col 11 Line 45- Col 12 Line 32). The system of Katz uses a multiplexer (96) to combine the input of four cameras for use with a single display. Further the transaction data (99) is displayed adjacent to the visual image (12c or 12d) on the display (64) (Figure 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the POS system of Odle with the system of Katz in order to display more than one stream at a time.

Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odle and Katz as applied to claim 16 above, and further in view of US Patent 6,056,087 to Addy et al.

[claims 17 and 18]

Odle and Katz teach the method of claim 16. Odle further teaches the selectively recalling stored data and stored records for viewing (Col 6 Line 46-Col 7 Line 4). Odle further teaches analyzing the data to determine trends (Col 13 Lines 20-54). Odle does not teach comparing the cash register readout with the visual record to determine discrepancies between items paid for and items leaving the store with customers. Addy teaches a method of preventing theft by comparing the visual record with the cash register readout (Col 7 Line 51-Col 8 Line 45). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of Odle with the detection method of Addy to prevent theft.

[claim 19]

Odle further teaches the system of claim 16 is used with an inventory control system (Col 6 Lines 17-20).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5,128,861 to Kagami et al.

US Patent 4,737,910 to Kimbrow.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 571-272-7338. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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